

WEATHER.

Unsettled, with occasional rains tonight or Friday; little change in temperature.
FULL REPORT ON PAGE SEVENTEEN

No. 19,349.

WASHINGTON, D. C., THURSDAY, SEPTEMBER 18, 1913—TWENTY-TWO PAGES.

About every one in Washington who reads at all reads The Star.

CLOSING NEW YORK STOCK QUOTATIONS PAGE 17

ONE CENT.

COURT REFUSES SPECIAL APPEAL

Justices of Appellate Tribunal Pass Upon Commissioner Newman's Application.

GIVE ADVERSE OPINION ON REQUEST FOR REVIEW

Petitioner Questioned Justice Wright's Decision in Proceedings Brought to Test Eligibility.

Oliver P. Newman, president of the Board of District Commissioners, must defend before a Justice of the Supreme Court of the District of Columbia his right to hold the office and exercise the functions of a civil Commissioner of the District.

The attempt by Mr. Newman to avoid appearance in that tribunal was thwarted today when the District Court of Appeals denied the application of counsel representing the Commissioner for the allowance of a special appeal. Mr. Newman had sought to have the appellate court review the decision of Justice Wright that a taxpayer may institute proceedings in quo warranto to test the eligibility of an incumbent in the office of District Commissioner.

The petition of Mr. Newman for the special appeal before the merits of the controversy had been heard and determined was joined in by Solicitor General Davis, by express direction of President Wilson. Mr. Davis attached his name to the request for the special appeal as attorney for Mr. Newman, and the case was set for argument before the District Court of Appeals.

The latter had appeared before Justice Wright and opposed the right of Newman to hold the office, to institute the proceedings, and had taken exception to the order of Justice Wright directing writ of quo warranto to issue against Mr. Newman.

Chief Justice Shepard today filed an opinion of the District Court of Appeals, in which Justice Robb concurred, denying the application and expressing the conviction that the case should take its regular course of trial before the lower court. The court suggested that the case be set for trial on the special action asked by counsel for Mr. Newman.

The opinion is per curiam and consists merely of the following memorandum: "Special appeals from interlocutory orders of this nature are granted only when it is apparent that delay and costs may probably be avoided by their allowance. There seems to be no reason why a speedy final determination may not be reached in the trial court, and the avoidance of delay is of especial importance. There seems to be no reason why a speedy final determination may not be reached in the trial court, and the avoidance of delay is of especial importance. There seems to be no reason why a speedy final determination may not be reached in the trial court, and the avoidance of delay is of especial importance."

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As there is no appeal from the refusal of the District Court of Appeals to entertain the application of Mr. Newman for a special appeal, his counsel are expected to note their appearance before the court early next week on behalf of Mr. Newman. Then they will file some return to the writ now outstanding against the president of the board of District Commissioners, to defend the question of his eligibility.

What form the return will take had not been decided this afternoon, according to attorneys Raistoun and Richardson. It was intimated that a demurrer may be filed, or that the return may be in the form of a motion to quash the writ, or that it may be in the form of a motion to dismiss the writ.

Counsel has until next Wednesday to determine on the mode of procedure.

Regarded as Tacit Admission.

The likelihood that a demurrer would be filed is the least of the possibilities of the situation made by Mr. Frizzell that Mr. Newman has not lived the required space of three years in Washington which constitutes eligibility to the office of Commissioner may deter his counsel from proceeding by way of demurrer.

A general plea of "not guilty" may be substituted, in which both the law and the facts would be called in question.

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MRS. BELMONT THE HOSTESS.

A big point has been made by the officials of the House of Representatives today that they are in a position of practical ally of all of Mexico, and State Department officials have accepted the claim that the territory controlled by Huerta comprises four-fifths of the population of the country.

Both of these claims were denied here today with great effect by constitutionalists, who pointed out that the territory controlled by Huerta comprises four-fifths of the population of the country.

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KILLING OF MEXICAN HEAD SELF-DEFENSE

El Paso Immigration Official Absolves Heifron and Jonah in Report.

ADMINISTRATION TO NOW PLAY A WAITING GAME

Attitude of U. S. in Event of an Election Is in Doubt—Constitutionalists Claim Five States.

A clear case of self-defense was the characterization given the shooting of a Mexican army officer by Immigration Inspector Thomas M. Heifron and Customs Inspector T. F. Jonah at El Paso September 6, according to a report received today at the bureau of immigration here from F. W. Berkshire, supervising inspector at El Paso.

The report shows that the Mexican officer, while Heifron and Jonah were in the guardhouse, went to the door of the guardhouse and saw the Mexican dismounting with a gun in his hand. He ordered him to "drop that gun," but the officer refused to do so, and aimed at Heifron, whereupon the latter fired four shots in rapid succession from a .32-caliber revolver. His revolver then being empty, Heifron returned to the guardhouse to reload, and Jonah took up the firing. When Heifron returned a minute or so later he saw the Mexican lying on the floor, and Jonah advanced to rise to a sitting position.

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SUITS TO ENFORCE FIRE ESCAPE LAWS

Commissioners Take Steps for Protection of Apartment House Tenants.

ALLEGED THAT NOTICES HAVE BEEN DISOBEYED

Owners Required to Conform to Regulations—Drastic Order to Be Asked of Court.

Alleged repeated violations of the District's fire escape regulations by owners of certain apartment houses led the Commissioners today to take drastic steps to insure greater protection to the occupants of such buildings.

Suits were ordered filed in the Supreme Court of the District of Columbia against the owners of three apartment houses and against many flats asking for restraining orders to prevent the use of the buildings and collection of rents therefrom if the conditions complained of are not immediately corrected.

The Commissioners, it is stated, are considering 127 cases of violations of similar character, and it is regarded as practically certain that other suits will follow.

Commissioner Newman is directly responsible for the board's decision to inaugurate a vigorous campaign for enforcement of the fire escape regulations. In going over some papers connected with the routine business of the office he discovered that several notices had been sent to certain apartment house owners calling their attention to alleged violations of the fire escape regulations. Upon inquiry the president of the board of Commissioners learned, it is stated, that these notices, in many instances, have been repeatedly ignored. He thereupon directed Building Inspector Morris Hackler to prepare a list of persons to whom notices for violations have been sent. This information was turned over to the office of the corporation counsel and Assistant Counsel Whitford instructed to commence legal proceedings to compel obedience with the law.

Statement by the Commissioner.

Referring to the action of the board, Commissioner Newman this afternoon said: "The suits to be filed by the District of Columbia to enforce the fire escape regulations are the result of a discovery by the Commissioners that a large number of owners of buildings in the District have flagrantly, if not ignorantly, ignored the orders of the Commissioners to comply with the plain provisions of the law enacted for the whole purpose of protecting human life. Such violations appear to be particularly reprehensible. Should a fire occur in a building the owner of which has ignored the law and the orders of the District Commissioners it is quite likely that there would ensue a needless loss of life."

"The Commissioners feel keenly their responsibility to see to it that every effort on their part is used to protect human life and to enforce the law. There does not appear to the Commissioners to be any excuse for failure to obey the law and the orders of the Commissioners. The law is clear and the orders are plain. The Commissioners are not prepared to issue notices which they know will be ignored. The law is clear and the orders are plain. The Commissioners are not prepared to issue notices which they know will be ignored."

Should an election be held, the attitude of the United States would be doubtful. Recognition will under no circumstances be accorded to Victoriano Huerta. This is known from unquestioned sources. Reports that Huerta intended to obtain the election of some friends who might subsequently appoint Huerta to a post in the cabinet and resign in his favor are causing some uneasiness, for if the election is constitutional, the position of the United States toward Huerta then might be embarrassing.

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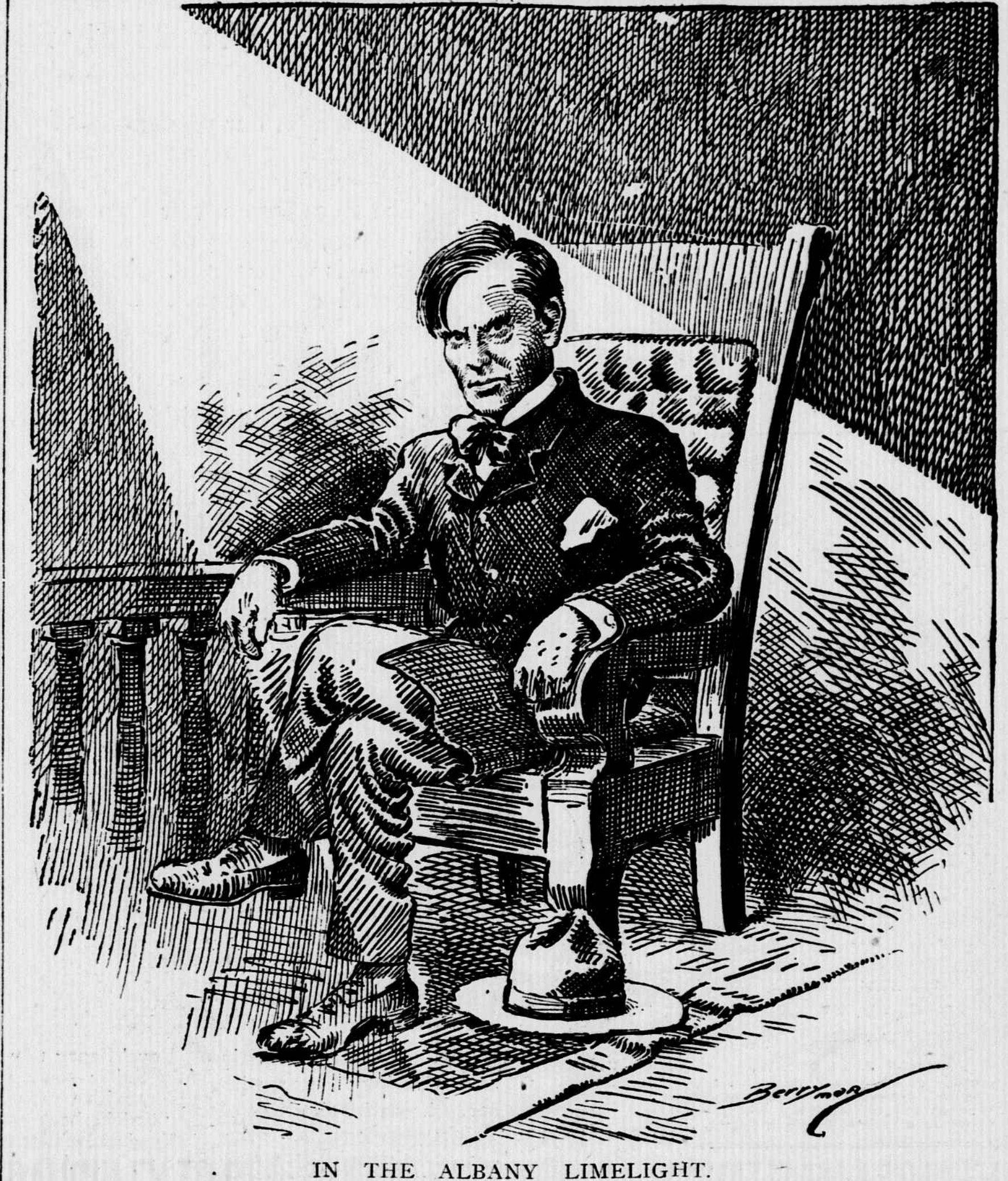
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RAUGHLY TO GET CUSTOMS POSITION

Maryland's Fight for Collector of Baltimore District Appears Futile.

Alfred Raughley of Delaware, who is confidently expected, will be the collector of the customs collection district of Baltimore, despite the protest of three members of the Maryland congressional delegation, who saw the President this morning to urge the selection of a Maryland man.

Senator Salisbury of Delaware is supposed to have the promise of the President that Mr. Raughley will be named. The commission of Mr. Raughley to be collector for the district of Baltimore is said to be now on the desk of the President.

Representatives Lathrop, Talbot and Smith of Maryland, who are members of the Maryland delegation who waited on the President. They urged the greater right of Maryland to the patronage and protested against the award of the post to a Delaware man.

Back William H. Bryan.

Representatives Lathrop and Talbot are both advocates of the candidacy of William H. Bryan of Baltimore. Mr. Smith joins with them in protest against the appointment going outside the state.

The Baltimore collection district includes the states of Maryland and Delaware and the District of Columbia. The district was constructed under the recent reconstruction of the customs service.

Representative Lobeck of Nebraska, known as one of the leading congressional leaders here, presented the members of the Detroit American League team to the President this morning. Sam Crawford, one of Detroit's crack players, is from Wahoo, Neb., and one of Representative Lobeck's constituents.

Former Governor Calls.

John Gary Evans, former Governor of South Carolina, who has been in Washington for several days arguing before the interstate commerce commission for adjustment of coal freight rates from the coal fields into South Carolina, paid his respects to the President this morning. Senator Smith of South Carolina, who came into the executive office a few minutes after ex-governor Evans, went away with him.

The former governor is believed to have

Invited to Philadelphia.

Representative Logue of Pennsylvania escorted Mrs. Charles Augustus Harrison and A. L. Edmunds, representing the Architectural League of Philadelphia, to the executive office this afternoon. The visitors presented a request to the President that he attend the dedication of the restored Congress Hall. The delegation was set for any day after October 18 to suit the convenience of the President.

E. N. Goodwin, secretary of the Chamber of Commerce of the United States, called on the President to ask him to address the congress of the organization in February next year. The President took under advisement.

GUATEMALA TO SEEK LARGE LOAN AGAIN

Negotiations to Obtain \$25,000,000 Are Reported to Be Now Under Way.

Negotiations which were instituted by the government of Guatemala a couple of years ago for the purpose of obtaining a large loan and which have been pressed for some time, are about to be resumed, according to information obtained in Washington today.

Guatemala, it is said, originally desired to raise about \$20,000,000, to be secured by the customs duties of the country, with which to convert the internal debt and to reform the currency system of the Central American republic.

The question of the loan has been in suspension since a demand of the British bondholders of Guatemala for their securities, amounting some time ago to about \$7,000,000, be liquidated separately, and as preferred claims, before the proposed new loan was negotiated. The British bondholders' claims are secured by the coffee export duties of Guatemala.

To Liquidate British Claim.

Guatemala now desires to raise about \$5,000,000, in addition to the \$20,000,000 it first proposed to raise, for the purpose of liquidating the claims of the British bondholders. It is believed that the latter sum will take care of what remains of the original \$7,000,000 claim of these British bondholders.

Much of the debt of Guatemala to be converted is for money which was used in the subsidizing and construction of railroads. Guatemala has about three hundred miles of railway, and the rest of the Central American republics together. With the completion of a fifteen-mile stretch of railroad on the frontier of Guatemala and Mexico, at a point known as Ayutla, it will be possible for travelers to go by rail from Montreal, Canada, down through the United States and Mexico to Guatemala City. The construction of the road that is now under way has been attended with great financial difficulties.

To Get Support of People First.

The aid of the State Department is not being asked for the raising of the loan. Guatemala now desires to put through Cabrera, the president of Guatemala, is said to believe, with the government of the United States, that it is unnecessary to ask the State Department about Central American projects. A group of important New York bankers, with a large European connection, is said to be discussing the possibility of the loan, and the resumption of negotiations for it are to be in charge of a Washington law firm engaged in international practice.

When the negotiations for the loan reach the stage of drawing up a preliminary contract, it is said that the President Cabrera, of Guatemala, will submit the proposed contract to the public and the press of his country to obtain public sentiment. Three years ago, when the subject of the loan was up, a contract with bankers was nearly consummated, but there was some hostility to the proposed contract among the people of Guatemala, at least as to some of the provisions of the contract. President Cabrera, it is said, has now determined to obtain the support of the people of Guatemala before proceeding with his plans.

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BURTON CRITICISES CURRENCY MEASURE